

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pisutha-Arnond et al.)
)
For: Message Alert System and)
 Method of Providing Message)
 Notification)
)
Serial No.: 09/504,135)
)
Filed: February 15, 2000)
)
Examiner: West, L.)
)
Art Unit: 2618)

**TRANSMITTAL OF Amended APPEAL BRIEF
in response to Notification of Non-Compliant Appeal Brief**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The enclosed brief is being filed in furtherance of the Notice of Appeal filed on February 4, 2008, and in response to a Notification of Non-Compliant Appeal Brief, dated July 31, 2008. The due date for filing an amended Appeal Brief to address the alleged deficiencies is August 31, 2008, which is one month after the mailing date of the Notification of Non-Compliant Appeal Brief from the patent office.

The present amended Appeal Brief is being filed on August 8, 2008, within the permissible term for filing the same. In connection with filing the amended appeal brief, no fee is believed to be due. Any requisite fee for filing the appeal brief was previously addressed in

connection with the original filing submitted via facsimile transmission on June 4, 2008. However in the event a further fee is deemed to be necessary for purposes of consideration of the Appeal Brief in support of the Notice of Appeal, the Commissioner is further authorized to charge said further fee, and/or credit any overpayments to deposit account 50-2117.

In the Notification of Non-Compliant Appeal Brief the Examiner has expressed concerns as to whether each of the elements in the independent claims was suitably referenced to specific portions of the specification. While the previously submitted summary was believed to contain the necessary references, the applicants have further supplemented the previously provided citations with additional areas of support. It is specifically noted, that the particular section noted by the Examiner is addressed quite extensively in the body of the appeal, as it is the subject of an issue to be addressed on appeal.

Respectfully submitted,

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